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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,367	11/26/2003	Weixin Xu	SVL920030119	6117
67711 7590 08/08/2008 MICHAEL BUCHENHORNER, P.A. 8540 SW 83RD STREET MIAMI, FL 33143				
EXAMINER				
TRUONG, LECHU				
ART UNIT		PAPER NUMBER		
2194				
NOTIFICATION DATE		DELIVERY MODE		
08/08/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/721,367

Applicant(s)

XU ET AL.

Examiner

LECHI TRUONG

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-6 are presented for the examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/29/2008 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mann et al (US. Patent 6,654801 B2) in view of Bickle (US 2003/0114163 A1) in view of Dillow (US 7,140025 B1).

4. **As to claim 1**, Mann teaches the invention substantially as claimed including: activating an application program (start, stop and reconfigure the node 48 or service 54, col 9, ln 29-31), message (exception event, col 9, ln 35-45), a predetermined event (an abnormal condition within the corresponding node 56 or service/error, col 9, ln 35-45), the integration adapter (the control adapter 56 and the service adapter 52, col 9, ln 34-45), an further application (the subscribing NCC 62, col 9, ln 35-45), monitoring messaging between the application program and a further application for a predetermined event(col 6, ln 35-45), a trigger message(trigger remoter system administrator notification, col 10, ln 1-5), remote(col 6, ln 5-10), the predetermined event (the level of error exception events(minor, recoverable, severe, critical or unrecoverable , col 10, ln 1-5), parameters associated with application (error, warning, or information only, col 10, ln 1-5), generating a trigger message based on the predetermined event an predetermined process parameters associated with the application program(col 10, ln 1-10), an activation command(a reconfiguration event, col 10, ln 8-12/ start, stop and reconfiguration event, col 9, ln 29-34) an activation command based on the trigger message operable to activate the application program(col 10, ln 8-12, col 9, ln 29-34), a queue manager (system administrator 68 can access remote NCC application 74 to send a reconfiguration event that can increase the queue size for that particular DHCP service, col 10, ln 9-14), the predetermined event occur(error exception events(minor, recoverable , severe, critical or unrecoverable, col 10, ln 1-5/ error or failures, col 2, ln 13-15/a service has died, col 7, ln 45-50),notifying a queue manager when the predetermined event occurs(col 2, ln 12-16/col 7, ln 45-51/ col 10, ln 5-15), providing the queue manager with a process definition object having the predetermined process parameters, col 8, ln 13-23/ col 11, ln 15-25).

5. Mann does not teach if the integration broker detects loss of connectivity with the application, restarting application. However, Bickle teaches if the integration broker detects loss of connectivity with the application, restarting application(a core framework layer which restarts a device or application upon failure and which also optionally notifies the user that a failure has occurred, para[0024], ln1-2/ The Domain Management subsystem is further configured to detect an application or device failure and to automatically restart the failed application or device in response, para[0027], ln 7-11/ the core framework layer including a Domain Management subsystem responsive to a device failure or an application failure and configured to restart the device or application in response, para[0031], ln 1-5/ It is a further object of this invention to provide such a core framework layer which is platform independent, (i.e., operates on multiple embedded processors and with multiple RTOS and ORBs) and is written such that a compile option allows the software to do so, para[0017], ln 1-3).

6. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Mann with Bickle to incorporate the feature of if the integration broker detects loss of connectivity with the application, restarting application because this prevents an application from attempting to use a device which is busy, off-line, or disabled resulting in inefficiency in the deployment of an application under these conditions.

7. Mann and Bickle do not explicitly teach using a queue manager to monitor messaging between the applications, wherein the trigger message enables the remote application to be started automatically when there are messages available to retriever, generating an activate command. However, Dillow teaches using a queue manager to monitor messaging between the applications, wherein the trigger message enables the remote application to be started

Art Unit: 2194

automatically when there are messages available to retriever, generating an activate command (The monitor thread 312 monitors the TSCM queue 324 using a "blocking read", which requests a read operation of a specified type of message (e.g., preferably a service or status response message or service update message in the case of the monitor thread, col 10, ln 3-10/ The write thread 318 is responsible for retrieving service response messages (and service update messages) from the in-memory write queue in association with the logical communications connection that was validated by the main thread 302. After initialization, the write thread 318 is initialized; it posts a "blocking wait" for any data buffers (e.g., service response messages, service update status messages, etc.) added to its dedicated in-memory write queue. When a message is deposited in the in-memory write queue (e.g., by the read thread 316 or the monitor thread 312), a condition signal is triggered to wake the write thread 318 to wake out of its "blocking wait" state and to perform a network write of the message detected in the in-memory write queue, col 10, ln 55-67).

8. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Mann, Bickle with Dillow to incorporate the feature of using a queue manager to monitor messaging between the applications, wherein the trigger message enables the remote application to be started automatically when there are messages available to retriever, generating an activate command because this guarantees that a read or write on a single connection does not impact (i.e., decrease) the communications performance of other communications on that connection or on other connections.

9. **As to claim 2**, Mann teaches an indication that a connection with and application adapter is lost, a message indicative of the application program entering a maintenance shutdown (col 7, ln 45-50).
10. **As to claim 3**, Mann teaches the queue manager generating the trigger message so as to include at least one of the predetermined process parameters (col 7, ln 44-54/col 10, and ln 9-13). In additional, Dillow teaches the queue manager generating the trigger message so as to include at least one of the parameter (col 10, ln 25-35).
11. **As to claim 4**, Mann teaches the application messaging is controlled by an integration broker based (col 5, ln 24-30), at least parameter from group of activation parameter of a time interval, a repeat activation number, and a type of activation, col 9, ln 30-32).
12. **As to claim 5**, Mann teaches an activation command from one of the group of consisting of: a start command, a resume command, and a restart command (col 9, ln 27-34).
13. **As to claim 6**, Mann teaches the application parameters comprising one of the group consisting of: parameters of a time interval, a repeat activation number a type of activation (col 10, ln 1-5), creating the process definition object based on at least one of the application parameters to generate the activation command, running a triggers monitor which is operable to generate the activation command (col 10, l 1-11).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/Meng-Ai An/

Supervisory Patent Examiner, Art Unit 2195

LeChi Truong

August 6, 2008

